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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,565	02/07/2001	Murthi Nanja	INTL-0521-US (P10765)	4410

21906 7590 03/15/2004

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HOUSTON, TX 77024

EXAMINER

WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/15/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

# Office Action Summary

Application No.

09/778,565

Applicant(s)

NANJA, MURTHI

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8, 12-19 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-19 and 23-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to Applicant's amendment, filed on January 15, 2004 have been fully considered but are moot for the limitations added in claims 1, 12 and 23 in the view of new ground(s) of rejection.
2. Claims 1, 12, and 23 are amended. Claims 1-9, 12-19 and 23-25 are pending.

### ***Response to Arguments***

3. Applicant added in claims 1, 12 and 23 the limitations of "from the two or more web sites in a single connection session". These limitations are addressed in the following rejections.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, 12-19 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan et al (U.S. Patent No. 6,438,575, hereinafter, "Khan") in view of Ficco (U.S. Patent No. 6,608,993) further in view of Clark (U.S. Patent No. 6,282,353).

With respect to claims 1, 8, 12, 19 and 23, Khan discloses the method, medium storing instructions processor-based system, and system, aggregating information (web content) from two or more web site (col. 10, lines 44-50), see (FIG. 2, FIG. 3, col. 9, lines 55-67 to col. 10, lines 1-26, col.11, lines 36-64, col. 1, lines 43-67 to col. 2, lines 1-34); Khan does not explicitly disclose the "detecting the occurrence of a predetermined time, and automatically transferring information to a wireless device at the predetermined time". However, Ficco discloses, "determines whether the current time or detected time is constantly the same as a predetermined time" from fig. 9, col. 7, lines 7-14. And Ficco discloses the " the arrival of a predetermined time automatically triggers the system to wirelessly transmit audio data files from a base station to a player form col. 7, lines 14-29. This teaches that at detection of predetermined time, Ficco transmits information to wireless device automatically. Therefore, it would have obvious a person having ordinary skill in the art the invention was made to include detecting the occurrence of a predetermined time, and automatically transferring information to a wireless device at the predetermined time in the system of Khan to auto-transmit information to wireless device at predetermined time. Neither Khan nor Ficco does nor explicitly disclose single connection session. However, Clark discloses the wireless data collection system (fig.1) transferring image data and any other data in a single

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connection, see (col. 4, lines 23-62). Therefore, it would have obvious to a person having ordinary skill in the art at the invention was made to include single connection session in the system of Khan and Ficco data information transferring in a single connection session. Because data transferring in a single connection saves data transmitting time and cost in a wireless communication system.

With respect to claims 2, 13 and 24, Khan discloses the aggregating the information from two or more web sites on a processor-based system connectable to the wireless device, see (col. 9, lines 55-67 to col. 10, lines 1-26, col. 1, lines 17-67 to col. 2, lines 1-62, FIG. 3, col. 11, lines 37-67 to col. 12, lines 1-51).

With respect to claims 3 and 14, Khan discloses the receiving user requests for information from web sites and storing the information received from web sites, see (FIG.3, col. 11, lines 37-67 to col. 12, lines 1-51).

With respect to claims 4 and 15, Khan discloses the establishing a telephone connection and during that connection, accessing the requested information from at least one web site, see (col. 2, lines 11-34, col. 9, lines 55-67 to col. 10, lines 1-26).

With respect to claims 5 and 16, Khan discloses the accessing information from at least two web sites using a single connection, see (FIG. 4, col. 17, lines 17-67 to col. 18, lines 1-59).

With respect to claims 6 and 17, Khan discloses the aggregating the information in response to the detection of an event, see (col. 7, lines 8-37, col. 9, lines 55-67 to col. 10, lines 1-26).

With respect to claims 7 and 18, Khan discloses the detecting a period of low activity on a processor-based system, see (fig.1, col. 3, lines 44-65, col. 13, lines 13-62, the computer operating system checks cpu usages or memory usages).

With respect to claim 25, Khan discloses the Internet connection, see (135, fig.1, col. 8, lines 32-54).

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
March 8, 2004

  
SHAHID ALAM  
PRIMARY EXAMINER